

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44895 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- R S P.S. District- Araria

MD. SHAKIL SON OF RAFIQUE RESIDENT OF HARIYA BARA, WARD
NO. 7, P.S. - ARARIA (RS), DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with R.S. Case No. 01 of 2024 dated 02.03.2024 registered for the offence/s punishable u/ss 21, 22 and 23 of the NDPS Act.

3. As per the prosecution case, total 160 litres of codeine cough syrup was recovered from the house of the co-accused Md. Ehsan.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The said recovery was made from the house of the co-accused who disclosed the name of the petitioner. Nothing has



been recovered from the conscious possession of the petitioner. The petitioner has three criminal antecedents out of which two criminal cases are related to similar nature of offence as stated in para 3 of the bail petition. The petitioner is in custody since 03.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who had no valid authorization for keeping the said contraband.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court of the Session cum, Special Judge, NDPS Act, Araria, in connection with R.S. P.S. Case No. 01 of 2024, with the following conditions:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to



move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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